

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

FILBERT C. VIALPANDO,

Plaintiff,

v.

CHEVRON MINING, INC.,

Defendant.

No. 1:18-cv-00251-BRB-JHR

ORDER GRANTING PLAINTIFF’S MOTION FOR ATTORNEYS’ FEES AND COSTS

This matter is before the Court on Plaintiff’s “Motion for Award of Attorneys’ Fees and Costs.” Docket No. 26. The Court having considered Plaintiff’s motion, Defendant’s very conclusory response, and Plaintiff’s reply, hereby awards reasonable attorneys’ fees to Plaintiff. The Court previously ordered each party to bear their own costs pursuant to Fed. R. Civ. P. 54, however, Plaintiff may recover reasonable costs under 33 U.S.C. § 928(d). The Court hereby refers this matter to the United States Magistrate Judge for a Report and Recommendation as to the amount of fees and costs to be awarded.

Plaintiff’s motion for attorneys’ fees and costs is GRANTED.

Entered for the Court
this 12th day of February, 2019.

\s\ Bobby R. Baldock

Bobby R. Baldock
United States Circuit Judge
Sitting By Designation